REMARKS/ARGUMENTS

Reconsideration of this application, in view of the following remarks and arguments, is respectfully requested.

Claims 1-3, 5-19 and 21-39 are currently pending in this application, and the Examiner's allowance of Claims 11-19 and 21-29, and her indication that Claims 2, 3, 5-10 and 35-38 contain patentable subject matter are noted with appreciation. In her July 6, 2005 Office Action, the Examiner made the following claim rejections which are respectfully traversed for reasons subsequently set forth herein.

> 1. Claim 1 stands provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1 and 4 of copending U.S. application serial no. 10/680,625;
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> 2. Claims 30-32 and 39 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 6,758,272 to Bixenman et al in view of U.S. Patent 6,684,950 to Patel; and
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> 3. Claims 33 and 34 stand rejected under 35 USC §103(a) as being unpatentable over Bixenman et al in view of Patel, further in view of Wetzel et al (US 2004/0173350).

With respect to the provisional rejection of Independent Claim 1 under the judicially created doctrine of obviousness-type double patenting, it is noted that Claim 1 specifies that each of the recited first and second assemblies includes an orienting device, wherein each of the first and second fiber optic lines has a fiber optic connector operably coupled thereto, and wherein the orienting devices align the fiber optic connectors with each other when the first and second assemblies are engaged with each other in the wellbore.

In contrast, Claim 1 in copending application serial no. 10/680,625 merely recites that a connection between the first and second fiber optic connectors is made after the first and second fiber optic connectors are positioned in the well. Dependent Claim 4 in this copending application adds the limitations that the first and second fiber optic connectors are respectively attached to first and second downhole assemblies, and that the first and second assemblies are attached to each other downhole, thereby operatively connecting the first and second fiber optic connectors.

There is no recitation or suggestion in either of these copending Claims 1 and 4 as to **how** these downhole fiber optic connections are made. In contrast, Claim 1 in the instant application sets forth specific structure - namely, orienting devices on each of the first and second assemblies - which align the connectors with each other **when the first and second assemblies are engaged with each other in the wellbore**. This specific structure, and engagement-responsive operation thereof, recited in the present applicants' Claim 1 is seen to clearly and patentably distinguish Claim 1 over Claims 1 and 4 in copending application serial no. 10/680,625. Claim 1 in the present application, as well as its objected-to dependent Claims 2, 3 and 5-10 are thus seen to be in a condition for allowance. It is thus respectfully submitted that the obviousness-type double patenting rejection of Claim 1 is improper and should be withdrawn.

Turning now to the obviousness rejections of Claims 30-34 and 39, via independent Claim 30, each of applicants' rejected Claims 30-34 and 39 recites that in **response** to engagement between the recited first and second assemblies **in the wellbore**, the fluid loss control device carried by the first assembly permits flow through the device. Representatively, but not by way of limitation, these claimed first and second assemblies are the gravel packing assemblies 12 and 42 illustrated in FIG. 2 of applicants' drawings.

On page 2 of her July 6, 2005 Office Action, the Examiner acknowledges that Bixenman et al fails to disclose these claimed features of applicants' invention. In an attempt to cure these deficiencies in Bixenman et al with respect to Claims 30-32 and 39, the Examiner proposes to combine teachings of Patel (referring to the Patel structure shown in FIG. 6) with those of Bixenman et al. However, in FIG. 6 referred to by the Examiner, Patel fails to teach or suggest first and second assemblies which, in response to their downhole engagement, cause a fluid loss control device carried by the first assembly to permit flow through the fluid loss device.

Specifically, in FIG. 6 of Patel a tubular first assembly 32 is shown as internally supporting a pierceable disk valve 300 which, in its initial unpierced state, blocks fluid flow in both longitudinal directions through the assembly 32. A second assembly (not numbered in FIG. 6) is disposed immediately upwardly of assembly 32 and movably supports therein a hollow mandrel 44. These upper and lower tubular assemblies are "engaged" **uphole**, before being lowered in an engaged state into the wellbore, by threading them together as shown in FIG. 6 of Patel.

This initial uphole engagement between the first and second Patel assemblies does **not** responsively cause the disk valve 300 to permit fluid flow in any direction therethrough. As can be seen, with the two assemblies threadingly engaged, the valve 30 is still **unpierced**. After the **already engaged** first and second Patel assemblies are lowered into the wellbore, fluid pressure 52 is introduced into the annular space 52 in the second assembly to downwardly drive the mandrel 44, causing it to pierce and open the valve member 300. Accordingly, Patel teaches directly **away from** causing a fluid loss device to permit flow therethrough in **response to** downhole engagement between two assemblies, one of which includes the fluid loss device.

It is thus submitted that the Examiner has clearly failed to establish a *prima facie* case of obviousness of Claims 30-32 and 39 using her proposed combination of the Bixenman et al and Patel references. Dependent Claim 39 is seen to be even further distinguishable over this proposed Bixenman et al/Patel reference combination via its recitation that the fluid loss control device permits one-way flow through the device prior to engagement between the first and second assemblies in the wellbore. In FIG. 6 of Patel, the disk valve member 39 clearly does not permit any flow therethrough prior to engagement between the upper and lower tubular assemblies (which are engaged uphole as opposed to downhole).

As to dependent Claims 33 and 34 the above-discussed deficiencies in the Bixenman et al/Patel reference combination being proposed by the Examiner are in no manner cured by the Wetzel reference which has been cited by the Examiner solely for its alleged teachings with respect to the extension of a fiber optic line through a well screen or packer. Accordingly, the Examiner has also failed to establish a *prima facie* case of obviousness of Claims 33 and 34.

Due to the clear allowability of independent Claim 30, its objected-to dependent Claims 35-38 are seen to be in a condition for allowance without modification thereof.

In view of the foregoing remarks and arguments, all of the claims currently pending in this application are seen to be in a condition for allowance. A notice of allowance of Claims 1-3, 5-19 and 21-39 is thus earnestly solicited.

The Examiner is hereby requested to telephone the undersigned attorney of record at 972/516-0030 if such would further or expedite the prosecution of the instant application.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on September 12, 2005

Diane Sutton